

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

LAQULIA S. HILL-COLLINS

vs.

**TEXAS HEALTH AND HUMAN
SERVICES COMMISSION**

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CASE NO. 6:18-CV-353

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this matter, has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B). Plaintiff filed written objections to the Report and Recommendation on September 24, 2018 (Docket No. 13) and an Exhibit on November 26, 2018 (Docket No. 15).

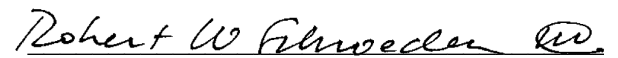
In her amended complaint, Plaintiff, proceeding *pro se* and *in forma pauperis*, asserts a Title VII claim against Texas Health and Human Services Commission. Plaintiff alleges that she was subjected to a hostile work environment and retaliation after reporting an alleged computer breach that caused her personal bank information to be stolen by co-workers. She states that she was written up when her husband came to her office for lunch. Plaintiff additionally asserts that someone placed something into her head that allowed others to illegally obtain her thoughts. Finally, Plaintiff complains that her employer failed to send her a W-2 form.

In her written objections, Plaintiff asserts that her civil rights have been violated and that her employer failed to protect her from her co-workers' theft. Plaintiff submits that she is entitled to receive her salary, retirement plan and health insurance, as well as the restoration of her home to its original condition, new appliances and the restoration of her car to its previous condition. Presumably due to the object allegedly placed in her head, Plaintiff alleges that she was illegally recorded in her home bathroom.

Having made a *de novo* review of the written objections filed by Plaintiff in response to the Report and Recommendation, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and the objections are without merit. Plaintiff's objections do not show that Plaintiff has stated a claim upon which relief may be granted. Plaintiff's pleadings do not allege facts showing that an adverse employment action was taken against her as a result of her participation in a Title VII protected activity, as required to state a claim for Title VII retaliation. *See Burlington Northern & Santa Fe Railway Co.*, 548 U.S. 53, 67, 126 S.Ct. 2405, 2414 (2006). In addition, the pleadings do not identify a protected class of which Plaintiff is a member or allege that she was subjected to a hostile work environment as a result of being a member of a protected class. Consequently, Plaintiff has not alleged facts showing an abusive work environment that is violative of Title VII. *See Harris v. Forklift Systems, Inc.*, 510 U.S. 17, 21, 114 S.Ct. 367, 370 (1993). The complaint should be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). It is therefore

ORDERED that the Report and Recommendation (Docket No. 11) is **ADOPTED**. The complaint is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B).

So ORDERED and SIGNED this 29th day of November, 2018.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE